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 COMPANY and GROUP LONG TERM DISABILITY PLAN  
 for HELLER, ERHMAN, WHITE & MCAULIFFE

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

PATRICIA GALVIN

Plaintiff,

vs.

PROVIDENT LIFE AND ACCIDENT  
 INSURANCE COMPANY as Administrator and  
 Fiduciary of the GROUP LONG TERM  
 DISABILITY PLAN for HELLER, ERHMAN,  
 WHITE & MCAULIFFE, and the GROUP LONG  
 TERM DISABILITY PLAN for HELLER,  
 ERHMAN, WHITE & MCAULIFFE,

Defendant.

Case No.: C07-05195 JF

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE HEARING  
 ON PLAINTIFF'S MOTION FOR  
 COMPUTATION OF BENEFITS**

The parties to the above captioned matter, plaintiff Patricia Galvin, through her attorney of record, Scott Kalkin, of Roboostoff & Kalkin, and defendants Provident Life & Accident Ins. Co. as administrator and fiduciary of Group Long Term Disability Plan for Heller, Erhman,

White & McAuliffe, and the Group Long Term Disability Plan for Heller, Erhman, White & McAuliffe, through their attorneys of record, Catherine Gregory, of Wilson, Elser, Moskowitz, Edelman & Dicker LLP hereby advise the Court of the following developments, propose a stipulation, and respectfully request that the Court sign the accompanying order.

Defendants regretfully advise the Court that their counsel, John C. Ferry, Esq., died on April 16, 2010.

Unaware that Mr. Ferry had passed away, on April 28, 2010, plaintiff filed a Motion for Computation for Benefits with a hearing date of June 11, 2010. Because Mr. Ferry was primarily responsible for this litigation, the new attorney handling the remainder of the case needs additional time to become familiar with the file and complex procedural posture.

Thus, the parties stipulate that hearing be continued to July 2, 2010, at 9:00 a.m. The parties also stipulate that all deadlines dependent on the hearing be continued accordingly.

**IT IS SO STIPULATED.**

Dated: May 28, 2010

ROBOOSTOFF & KALKIN

By \_\_\_\_\_/s/\_\_\_\_\_

Scott Kalkin

Attorney for Plaintiff

PATRICIA GALVIN

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Dated: May 28, 2010

By \_\_\_\_\_/s/\_\_\_\_\_

Catherine Gregory

Attorney for Defendants PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY and GROUP LONG TERM DISABILITY PLAN for HELLER, ERHMAN, WHITE & MCAULIFFE

**ORDER**

GOOD CAUSE APPEARING THEREFOR, the hearing on plaintiff's Motion for Computation of Benefits is continued to July 2, 2010.

Date: 6/7/2010, 2010

  
The Honorable Jeremy Fogel  
UNITED STATES DISTRICT JUDGE